

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF INDIANA**

TO: THE BAR AND PUBLIC

The United States Bankruptcy Court for the Northern District of Indiana is seeking public comment concerning proposed changes and revisions to the Court's Local Rules. The changes involve the following rules:

- B-2002-2(a) Notice of Opportunity to Object to Motions, *addition of a new paragraph (24)*.
- B-5005-1 Mandatory Electronic Case Filing, *changing the threshold number from twenty-five (25) to five (5)*.
- B-9014-2 Applicability of Certain Rules of the Federal Rules of Civil Procedure to Contested Matters, *deletion of paragraph (a)*.

The proposed amendments are available online at the court's website, <http://www.innb.uscourts.gov/>, or in hard copy at the clerk's office. Please send comments and suggestions by **March 31, 2005**, to:

Christopher M. DeToro
Clerk of Court
United States Bankruptcy Court, Northern District of Indiana
P.O. Box 7003
South Bend, IN 46634-7003
(574) 968-2100

Dated: February 28, 2005

Proposed changes to the local rules for the United States Bankruptcy Court for the Northern District of Indiana. New material is indicated by double underline, and deleted material is indicated by ~~strikeout~~.

B-2002-2
Notice of Opportunity to Object to Motions

(a) Except as otherwise ordered, the court will consider the following matters without holding a hearing, unless a party in interest files a timely objection to the relief requested:

(1) Motions to approve agreements relating to relief from the automatic stay; providing adequate protection; or prohibiting or conditioning the use, sale or lease of property.

(2) Motions to approve agreements relating to the use of cash collateral.

(3) Motions for authority to obtain credit.

(4) In cases pending under Chapter 7, motions for relief from the automatic stay.

(5) Motions to avoid liens on exempt property.

(6) Motions to redeem personal property from liens.

(7) Applications for administrative expenses, including compensation for services rendered and reimbursement of expenses.

(8) Motions to extend the time for filing claims.

(9) Motions to extend the exclusivity periods for filing a Chapter 11 plan.

(10) Motions to extend the time to assume or reject executory contracts and unexpired leases.

(11) Motions filed by a trustee or debtor-in-possession to assume or reject executory contracts and unexpired leases.

(12) Motions to approve a modification to a confirmed Chapter 11, Chapter 12 or Chapter 13 plan.

(13) Motions to approve a compromise or settlement.

(14) Motions to transfer a case to another district or to another division in this district.

(15) Motions to approve transactions outside the ordinary course of business.

- (16) Motions to sell property free and clear of liens.
- (17) Motions to abandon property of the estate.
- (18) Motions for relief from the co-debtor stay of 11 U.S.C. § 1201 or § 1301.
- (19) Motions for the substantive consolidation of cases.
- (20) Motions to compel the debtor to turnover or deliver property to a trustee.
- (21) In cases under Chapter 12 and 13, motions for a discharge prior to the completion of payments under a confirmed plan (motions for hardship discharge).
- (22) Motion of a party in interest to enter a final decree in a case under Chapter 11.
- (23) Trustee's Applications to Employ Professionals After Notice to Creditors filed pursuant to N.D. Ind. L.B.R. B-2014-2(b).

(24) Applications to employ professionals *nunc pro tunc*.

B-5005-1 Mandatory Electronic Case Filing

Effective ~~April~~July 1, 2004~~5~~, any attorney who files any document or appears in more than ~~twenty-five~~five (25~~5~~) cases in a calendar year, regardless of when the case was originally commenced, shall file all documents electronically through the court's ECF system. The failure to do so may result in the noncomplying filing document being stricken and/or the imposition of other appropriate sanctions. For purposes of this rule, the calendar year will begin on January 1 of each year.

B-9014-2 Applicability of Certain Rules of the Federal Rules of Civil Procedure to Contested Matters

~~—(a) Except as otherwise ordered by the court or agreed to by the parties, the requirements of Rule 26(a) and 26(f) of the Federal Rules of Civil Procedure shall not apply to any contested matter under Rule 9014 of the Federal Rules of Bankruptcy Procedure.~~

~~—(b)~~ The provisions of Rule 5(d) of the Federal Rules of Civil Procedure concerning the filing of discovery matters shall apply to contested matters.